

REPORT OF THE COMMITTEE ON CONTRACT COMPLIANCE

October 14, 2008

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Maldonado, Vice Chairman Silvestri, Commissioners Butler, Gorman, Peraica, Sims (5)

Absent: Commissioners Goslin, Moreno, Peraica and Steele (4)

Also Present: Colette Holt – Attorney at Law and MBE/WBE Consultant; Betty Hancock Perry – Contract Compliance Administrator, Office of Contract Compliance

Ladies and Gentlemen:

Your Committee on Contract Compliance of the Board of Commissioners of Cook County met pursuant to notice on Tuesday, October 14, 2008 at the hour of 10:30 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following item and, upon adoption of this report, the recommendation is as follows:

296495 RESOLUTION REGARDING THE MEETING OF THE CONTRACT COMPLIANCE COMMITTEE FOR THE STATUS OF A THE DISPARITY STUDY PRIOR TO THE EXPIRATION OF THE INTERIM ORDINANCE (PROPOSED RESOLUTION). Submitting a Proposed Resolution sponsored by Roberto Maldonado, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, in 2000, the U.S. Court of Appeals for the Seventh Circuit struck down the County's Minority and Women's Business Enterprise (MBE/WBE) Ordinance as applied to construction contracts because it was unconstitutional; and

WHEREAS, in the absence of this ordinance, minority (African American, Hispanic, and Asian) and women owned firms each received only 1 percent of Cook County construction contracts compared to 44 percent prior to the ruling; and

WHEREAS, in 2006, the Board of Commissioners implemented an "Interim MBE/WBE Construction Contract Program Ordinance" to ensure fair representation for minority contractors who have suffered discrimination in County construction projects; and

WHEREAS, since adoption of the Interim Ordinance, attorney Colette Holt, a nationally renowned expert who specializes in the field of minority contract participation and who drafted the County's Interim Ordinance, has been working

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on a Disparity Study that substantiates the need for the Interim Ordinance; and

WHEREAS, the Interim Ordinance sunsets on December 31, 2008 and if the Board intends to re-authorize it, a Disparity Study must be completed.

NOW, THEREFORE, BE IT RESOLVED, that the Contract Compliance Committee of the Cook County Board will convene for the purpose of holding an informational meeting to hear a presentation from Colette Holt on the status of the Disparity Study prior to the expiration of the Interim Ordinance.

Chairman Maldonado introduced Colette Holt, Attorney at Law and MBE/WBE Consultant. Ms. Holt presented an overview of the Cook County Availability Study currently underway and stated that after the original construction piece of the Cook County MBE/WBE Ordinance was struck down as unconstitutional, MBE/WBE participation dropped from 40% to 4%. Citing numerous difficulties in obtaining accurate data from the County due to its over-reliance on an outdated paper system, Ms. Holt stated she will not be able to complete the Availability Study by the December 31, 2008 sunset date of the Interim MBE/WBE Construction Contract Program Ordinance and requested an extension through June 30, 2009. Chairman Maldonado stated he would amend the Interim Ordinance to sunset on the requested date.

Commissioner Sims, seconded by Commissioner Peraica, moved the approval of Communication Number 296495. The motion carried.

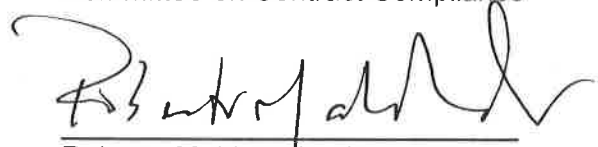
Commissioner Sims moved to adjourn the meeting, seconded by Commissioner Peraica. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication Number 296495

Approved

Respectfully submitted,
Committee on Contract Compliance


Roberto Maldonado, Chairman

Attest:


Matthew B. DeLeon, Secretary

The audio recording for this meeting is available from the Office of the Secretary to the Board, 118 North Clark Street, Room 567, Chicago, IL 60602.